

Decision

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of California Wine Tours, Inc,
PSC9679 doing business as Evans Airporter to
establish a Zone of Rate Freedom.

Application 15-02-007
(Filed February 6, 2015)

D E C I S I O N G R A N T I N G A P P L I C A T I O N**Summary**

This decision grants the application of California Wine Tours, Inc., doing business as Evans Airporter to increase its current fare and to establish a Zone of Rate Freedom, pursuant to Pub. Util. Code § 454.2.

Discussion

California Wine Tours, Inc., doing business as (dba) Evans Airporter (Applicant), provides scheduled Passenger Stage Corporation (PSC) service under a certificate originally authorized by Decision (D.) 03-08-031, and expanded by D.04-07-017. The certificate authorizes the transportation of passengers and their baggage between points in the Cities of Sonoma, Napa, and Vallejo and the San Francisco and Oakland International Airports. The application requests authority to increase the current minimum fare from \$29 to \$45, and to establish a Zone of Rate Freedom (ZORF).

In the earlier decisions, a ZORF was not authorized because Applicant did not request a ZORF. Applicant now proposes a ZORF in order to regain a competitive position with the many service operators in his territory. The requested ZORF will give the Applicant flexibility to adjust his fares in the future in response to changes in operating costs, passenger counts, and other factors affecting revenues and expenses. Applicant seeks to increase his minimum rate

to \$45.00 per person each way, and establish a ZORF of \$50 above its proposed minimum fare. The maximum fare will be \$95.00. Applicant will compete with other PSCs, taxicabs, charter sedans and limousines, public transit, and private automobiles in their operations. This highly competitive environment should result in Applicant pricing its services at a reasonable level.

Notice of filing of the application appeared in the Commission's Daily Calendar on February 9, 2015.

In Resolution ALJ 176-3351, dated February 12, 2015, the Commission preliminarily categorized this application as rate-setting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3351.

Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

Safety Considerations

In order to be authorized to commence operations as a PSC, the Applicant must comply with the following requirements in order to protect public safety: Proof of insurance pursuant to General Order Series 101, compliance with the controlled substance and alcohol testing program pursuant to Pub. Util. Code §1032.1 and General Order Series 158, and enrollment in the pull notice system as required by Section 1808.1 of the Vehicle Code.

Assignment of Proceeding

Elizaveta Malashenko is the assigned Examiner in this proceeding.

Findings of Fact

1. Applicant operates as a scheduled PSC pursuant to D.03-08-031 and D.04-07-017 between the Cities of Sonoma, Napa, and Vallejo and the San Francisco and Oakland International Airports.
2. The earlier decisions did not authorize the Applicant to establish a ZORF.
3. Applicant requests to increase its current minimum rate from \$29 to \$45 and to establish a ZORF of \$50 above the proposed minimum fare. The maximum fare will be \$95.
4. Applicant will compete with other PSCs, taxicabs, charter sedans and limousines, public transit, and private automobiles in their operations.
5. No protest to the application has been filed.
6. A public hearing is not necessary.

Conclusions of Law

1. Public convenience and necessity has been demonstrated and the application should be granted.
2. The request for a ZORF should be granted because the ZORF is fair and reasonable.
3. Before Applicant changes any fares under the authorized ZORF, Applicant should be required to give this Commission at least ten days' notice. The tariff should show the high and low ends of the ZORF and the then currently effective fare between each pair of service points.
4. Because the matter is uncontested, the decision should be effective on the date it is signed.

O R D E R

IT IS ORDERED that:

1. California Wine Tours, Inc., doing business as Evans Airporter, is authorized to increase its current minimum fare from \$29 to \$45, and to establish a Zone of Rate Freedom of \$50 above the proposed minimum fare. The maximum fare is \$95.

2. California Wine Tours, Inc., doing business as Evans Airporter, shall file a a tariff with its increased fare and a Zone of Rate Freedom (ZORF) tariff with the Commission and the public in accordance with the application at least ten days before the effective date of the tariff. The ZORF shall expire unless exercised within 120 days after the effective date of this decision.

3. California Wine Tours, Inc., doing business as Evans Airporter, may make changes within the Zone of Rate Freedom by filing amended tariffs on not less than ten days' notice to the Commission and to the public. The tariff shall include the authorized maximum and minimum fares and the fare to be charged between each pair of service points.

4. In addition to posting and filing tariffs, California Wine Tours, Inc., doing business as Evans Airporter, shall post notices explaining fare changes in their terminals and passenger-carrying vehicles. Such notices shall be posted at least ten days before the effective date of the fare changes and shall remain posted for at least 30 days.

5. The Application is granted as set forth above.

6. This proceeding is closed.

This decision is effective today.

Dated _____, at Sacramento, California.